



State of New Jersey

CHRISTINE TODD WHITMAN
GOVERNOR

DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS

DEBORAH PORTIZ
ATTORNEY GENERAL

LOCATION:

124 HALSEY STREET, 6TH FLOOR
NEWARK, NJ 07102

STATE BOARD OF VETERINARY MEDICAL EXAINERS

MARK S. HERR
DIRECTOR

MAILING ADDRESS
PO BOX 45020
NEWARK NJ 07101
201-504-6500

March 3, 1995

**REGULAR AND CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Delfin O. Tumibay, D.V.M.
Amity Animal Clinic
211 Washington Avenue
Belleville, New Jersey 07109

Dear Dr. Tumibay:

Please be advised that its meeting on February 15, 1995 the Board determined that a fine of \$500.00 plus costs of \$1,415.20 be imposed upon you, in connection with your writing a prescription where no veterinarian-patient-client relationship existed and for your failure to maintain proper records.

You are hereby afforded the opportunity to dispose of this matter without a hearing and without recourse to litigation by executing the attached form and returning it to the Board within ten (10) days together with your remittance made payable to the Board of Veterinary Medical Examiners in the amount of \$1,915.20.

If you wish a hearing in this matter, you may request same within ten (10) days of the date of this letter. At the time of the hearing, you may appear with counsel of your choice and with witness and documentary evidence. If no request for a hearing is received within the period stated above, the Board will make its determination on the evidence in the record and will take such action as may be allowed by law.

If you request a hearing, the Board will not be bound to the terms stated in this letter, and may, after presentation and evaluation of all the evidence presented,

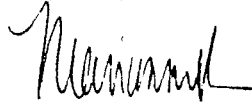
Delfin Tumibay, DVM
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impose any of the sanctions contained in N.J.S.A. 45:1-22 which include revocation or suspension of licensure, and assessment of penalties up to \$2,500.00 per violation. You should also be aware that the Board may assess civil penalties in an amount greater than that herein offered in settlement. Additionally, the Board may, if the facts warrant, enter an order requiring the restoration of any monies acquired by unlawful acts, the payment of all costs involved in this matter and may direct that you cease and desist from the continued practice of acts found to be unlawful by the Board.

If you do not reply to this letter within the required ten (10) day period, then the Board may assess additional penalties pursuant to N.J.S.A. 45:1-21, based on the fact that you failed to respond to official Board correspondence.

Very truly yours,



Marianne C. Kehoe
Executive Director

MCK:jf

Enclosure

FILED
APR 24 1995
BOARD OF VETERINARY
MEDICAL EXAMINERS

CERTIFICATION

☒ I, Delfin O. Tumibay, hereby admit to the violation of N.J.A.C. 13:44-2.1 and N.J.A.C. 13:44-2.12 and remit herewith a certified check or money order in the amount of \$1,915.20.

☐ I admit to the violation of N.J.A.C. 13:44-2.1 and N.J.A.C. 13:44-2.12 but wish to submit a written explanation to the Board to use as a mitigating factor in determining a final civil penalty.

☐ I am not guilty of this violation and request an administrative hearing on this matter.

Signature

Date

4/20/95